

1. MOTION TO SUBMIT  
PROFESSIONAL LIABILITY

CIVIL ACTION - JURY TRIAL REQUESTED

DATE: DECEMBER, 17TH 2020

TO THE HONORABLE Judge of the

EASTERN PENNSYLVANIA DISTRICT COURT.

HOLLIDAY, MICHAEL vs PrimeCare Medical  
(Michael James Holliday)  
BC# 2008 0808

Dr Kenneth WLocheski

Nurse Leona

~~Mr Katkowsky~~

TO the Honorable Judge of said COURT:

At sometime on September of 2019 I was given a 100 mg dose of Anthony Lime weavers' Methadone dose. When I was only on 16 mg of Methadone at this time. This dose was administered by a "Nurse Leona," who works for Prime Care Medical, Under the charge of Dr. Kenneth WLocheski.

This large amount of Methadone caused me to have an over dose, which in turn caused me to suffer a mild stroke, or what appeared to be stroke like symptoms. Mr Katkowsky was working the medical department at this time

2

where I was being held under a 24H observation, due to Nurse Leonas' negligence, in give me Mr Anthony's Lineweavers methadone dose, After experiencing what I believe a seizure or a stroke, and upon recovering my Consciousness I immediately alerted CJO KATKOWSKI of the symptoms in which I just experienced, at which point he called me "a dickhead and a liar." At this point I ask him if he was a medical professional he replied that "I am a doctor". At which he proceeded to walk away.

After this episode I noticed, immediately, that something was wrong. I was experiencing Slurred speech an atward gaze and the left side of my face, my lip felt a numbing sensation and a saying these symptoms I continue to experience to this day.

Around this time I submitted another inmate grievance forms one of which the Medical Department admitted that "Nurse Leone" gave me someone else's methadone.

3

and amount which could have proven fatal. To this day I suffer from memory loss, + trouble forming sentences an awkward gait.

Not only did they not reprimand "Nurse Leong," they continued to allow her to administer me my methadone dose knowing that she was this accident prone, and she wound up giving me another inmate, Antone Scott's, methadone dose, this second incident was covered up by the Medical Staff.

I also submitted a grievance regarding the actions of Officer Katkowski in which I received a response claiming to have "restrained" Katkowski

I have submitted numerous sick calls, grievances and communication forms complaining about stroke like symptoms, which have went mostly ignored. I have yet to receive either an MRI or a Cat Scan to determine the extent of my injuries.

On December 11<sup>th</sup> 2020 after requesting a copy of my grievances from the period of September and October 2019, I received ~~in~~ ~~spite~~ a response from

4

from the head counselor J. ~~Collins~~ Collins, claiming, "We do not provide copies of grievances". Which I believe is a violation of my Rights. THIS IS

DOCUMENTATION I REQUIRE TO PROVE NEGLIGENCE ON BEHALF OF THE MEDICAL STAFF AT PRIME CARE MEDICAL.

MY GROUNDS FOR THIS CLAIM ARE AS FOLLOWS;

"NURSE LIZONA" WAS NEGLECTFUL IN HER DUTIES BY ADMINISTERING ANOTHER RN NURSES <sup>DOSAGE</sup> DOSES WHICH CAUSED ME TO SUFFER COMPLICATIONS THAT CONTINUE AND HAVE NOT BEEN PROPERLY ADDRESSED. SHE IS EMPLOYED BY PRIME CARE MEDICAL, AND UNDER THE SUPERVISION OF DR. WLOCHASKI, WHO HAS THE FINAL SAY IN ALL MEDICAL OPERATIONS THAT ARE HANDLED WITHIN THE CONFINES OF BERKES COUNTY JAIL SYSTEM. BERKES COUNTY, PA BOTH PARTIES BEING EMPLOYED BY PRIME CARE MEDICAL.

Claimant: Michael Holliday

5

## PROFESSIONAL LIABILITY CIVIL ACTION COMPLAINT

### DEFENDANTS:

1. Dr. Kenneth Wloceski:  
Is a licensed professional with offices in Berks County, Pennsylvania

Plaintiff, Michael Holliday, is asserting a professional liability claim against this defendant.

2. Nurse Leona:

Plaintiff Michael Holliday is asserting a professional liability claim against this defendant.

She is a licensed professional under the supervision of Dr. Kenneth Wloceski. Both are employed by Prime Care Medical working from offices in Berks County Pennsylvania.

3. Being prime care medical

6

3. Prime Care Medical:

A corporation or similar entity where the entity is responsible for a licensed professional who deviates from a acceptable professional standard with offices located throughout the State of Pennsylvania, but headquartered at 3940 Locust Ave Harrisburg, Pa. 17109

Dr WLoceSKI + Nurse Leona are both employed by Prime Care Medical

Respectfully; Michael J Halliday

7

CERTIFICATE OF MERIT

Michael J. Holliday VS Prime Care Medical  
BCJ # 2008-0808 Dr Kenneth Wloceski  
Nurse Leona

Certificate of Merit as to  
Prime Care Medical - Nurse Leona  
Dr Wloceski

I Michael Holliday certify that the that this defendant deviated from an acceptable professional is based solely on allegation that the other licensed professional for whom this defendant is responsible deviated from an acceptable professional Standard and an appropriate licensed professional has supplied a written statement to the undersigned that there is a basis to conclude that the care, skill or knowledge exercised or exhibited by the other licensed professional in the treatment practice or work that is the subject of the complaint fell outside the acceptable professional Standard and that such conduct was a cause in bringing about the harm.

DATE: DECEMBER 29th 2020

Plaintiff - Michael J. Holliday, Michael Holly

8

## CERTIFICATE OF MERIT (CONTINUED)

MICHAEL J. HOLLIDAY VS DR KENNETH WLODESKI  
BCJS # 2008-0808 NURSE LEONA  
PRIME CARE MEDICAL

PAGE TWO OF CERTIFICATE OF MERIT

I, MICHAEL HOLLIDAY, PLAINTIFF IN THE ABOVE CASE AM HEREBY SUBMITTING THE FOLLOWING GRIEVANCES ALONG WITH THEIR RESPONSES, AS MY CERTIFICATE OF MERIT. ME BEING AN INMATE HELD IN BERKS COUNTY JAIL AND WITH LIMITED RESOURCES AND UNABLE TO BE SEEN BY OUTSIDE PROVIDERS WITHOUT THE APPROVAL OF THE DEFENDANTS IN THIS CASE I HOPE THIS IS ENOUGH TO MEET THIS REQUIREMENT.

1 GRIEVANCE # 1153-19 PAGE #1 A "Mitzi L. Montz RN BSN HSA" ACKNOWLEDGES "THE MEDICATION ERROR" NAMELY THE 100 MG'S OF ANTHONY LINEWEAVER'S METHADONE DOSE WHICH CAUSED ME TO OVERDOSE AND TO EXPERIANCE FUTHER SYMPTOMS. MENTIONED IN THIS ACTION PREVIOUSLY, SYMPTOMS THAT CONTINUE TO GO UNADDRESSED.

9

CERTIFICATE OF MERIT (CONTINUED)  
PAGE THREE

2. GRIEVANCE 1153-19 ON APPEAL THE  
WARDEN HERSELF ACKNOWLEDGE THAT I  
WAS GIVEN AN "INCORRECT DOSE OF METAF-  
DONE".

3. I ALSO SUPPLY GRIEVANCE APPEAL  
1168-19 AS FURTHER EVIDENCE THAT  
THERE WAS A DEVIATION FROM FROM  
AN ACCEPTABLE PROFESSIONAL  
STANDARD BY STAFF AND DOCTORS  
WORKING FOR PRIME CARE MEDICAL  
WITH LIMITED RESOURCES AT MY  
DISPOSAL AND UNABLE TO VISIT A  
MEDICAL PROFESSIONAL WITHOUT DEFEND-  
ANTS APPROVAL. I AM HOPING THESE  
GRIEVANCES WITH RESPONSES FROM  
"MITZI L. MONTZ RN BSN HSA".  
A MEDICAL PROFESSIONAL ALSO EMPLOYE  
WITH PRIME CARE MEDICAL WILL SURFACE

DATE: DECEMBER 29<sup>TH</sup> 2020

RESPECTFULLY SIGNED Michael Holliday  
PLAINTIFF MICHAEL J. HOLLIDAY

10

MEDICAL PROFESSIONAL LIABILITY  
REQUEST OF DAMAGES

Michael J. Holliday vs. DR. Kenneth Włodzki  
BCJ# 2008-0808

NURSE LICENZA  
PRIME CARE MEDICAL

1) MEDICAL AND OTHER RELATED EXPENSES;  
IN AN AMOUNT OF \$100,000.

2) LOSS OF EARNINGS;  
\$50,000

3) PAIN AND SUFFERING, LIFE CHALLENGES  
RESULTING FROM INJURIES SUFFERED;  
\$1,000,000

(Requesting MRI or CT Scan to determine extent of damage  
with other medical follow-up)

FUTURE DAMAGES FOR:

1) MEDICAL AND OTHER RELATED EXPENSES;

IN AN AMOUNT OF \$100,000

2) LOSS OF EARNINGS;

IN AN AMOUNT OF \$50,000 PER YEAR

OR LUMP SUM OF \$2,000,000

3) FUTURE PAIN SUFFERING, LIFE CHALLENGES  
RESULTING FROM INJURIES.

\$3,000,000

4) AND MONEY TOWARD ANY LAWYER OR LEGALEE  
FEES THAT MAY BE INCURRED

PETITIONER, MICHAEL J. HOLLIDAY

Michael Holliday December, 29th 2020

BERKS COUNTY JAIL SYSTEM  
INMATE GRIEVANCE FORM

Inmate Name

Michael H. Hiz

BCJ# 08-0808

Cell 104

O-22

Date 9-23-19

Instructions: Refer to the inmate handbook for information on the inmate grievance system.

CHOOSE ONE OPTION:

 New Grievance Appeal to Grievance # \_\_\_\_\_

Statement: Detail the act or condition which caused this grievance. (Be specific; list all dates, times, locations and witnesses.)  
ONLY ONE TOPIC PER GRIEVANCE FORM.

ON September 23 ~~2019~~ I went to medical to get my methadone. I only got 16 ~~mgs~~ milligrams of methadone ~~up to~~. After the nurse gave me my dose I went back to my block "A" block. I began to notice I was feeling unusual my belly was mad because he said the nurse gave me his dose instead instead of mine. He told me he takes 100 mgs that is like 3x times the amount I get. They brought me back to medical where they took all my ~~legal papers~~.

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Grievance Response:

The officer notified the appropriate medical staff after you notified him of your behavior. I will remind staff to call appropriately and professionally. /

Mr. Holiday - You were assessed after the medication error - The provider and nurse has followed up with you for any adverse effects. You again were evaluated the next day as a follow up with the provider. EOR

Grievance Answered By: Lt. Bluhb 9-27-19 / Michael Montgomery Date 9/27/2019

Grievance # 1153-19

Date Posted 9/27/2019

BERKS COUNTY JAIL SYSTEM  
INMATE GRIEVANCE FORMPA.6K #2  
Inmate Name Michael HollidayBCJ# 08-0808Cell 0-220Date 9-23-19

Instructions: Refer to the inmate handbook for information on the inmate grievance system.

CHOOSE ONE OPTION: New Grievance Appeal to Grievance # \_\_\_\_\_

Statement: Detail the act or condition which caused this grievance. (Be specific; list all dates, times, locations and witnesses.)  
 ONLY ONE TOPIC PER GRIEVANCE FORM.

They put me in an observation cell where I fell  
 out after feeling light headed and dizzy before  
 I went unconscious I asked if anything  
 began to shake then everything went dark  
 Lt. Karkowski observed me having what  
 may have been a seizure, I told him what happened  
 and he called me a "Dick and Liar" I asked him  
 if he was a doctor and he said "Yes, I am". Almost  
 instantly I started noticing a change. Before the seizure I  
 felt a cold tingling, with sensation in my head  
 When I woke back up I could tell something  
 something was not right. My arm seemed weaker

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Grievance Response:

~~See Page 10 of 10~~

Grievance Answered By:

Mtji & mont RausenbachDate 9/21/2019Grievance # 1153-19Date Posted 9/30/19Lt. Robert  
Medical

BERKS COUNTY JAIL SYSTEM  
INMATE GRIEVANCE FORM

Page # 3  
 Inmate Name Michael Holiday BCJ# 080805 Cell O-220  
 Date 9-22-19

Instructions: Refer to the inmate handbook for information on the inmate grievance system.

**CHOOSE ONE OPTION:**

New Grievance

Appeal to Grievance # \_\_\_\_\_

Statement: Detail the act or condition which caused this grievance. (Be specific; list all dates, times, locations and witnesses.)  
 ONLY ONE TOPIC PER GRIEVANCE FORM.

After I awoke from what I believe to have been a seizure I noticed my arm was weaker feeling than the other arm. I was having trouble with my speech and I felt confused & even what I was hearing difficulty walking. I continuously told the Clos and medical Staff. Clo Kakkushi said I was a liar and a cheater so he doesn't believe anything I say. So I have been back in the observation cell without receiving any medical attention aside from having my vital signs done or check. I should be getting an MRI or CAT scan. Something is wrong with me I can tell I have changed. The Clo or no Doctor

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Grievance Response:

See page 1 of 4

Grievance Answered By: Michael Holiday Date 9/27/2019

Grievance # 1153-19

Date Posted 9/30/19

BERKS COUNTY JAIL SYSTEM  
INMATE GRIEVANCE FORM

PAG 6 of 4

Inmate Name Michael H. Niday BCJ# 080808 Cell 0-220  
 Date 9-23-19

Instructions: Refer to the inmate handbook for information on the inmate grievance system.

CHOOSE ONE OPTION: New Grievance Appeal to Grievance # \_\_\_\_\_

Statement: Detail the act or condition which caused this grievance. (Be specific; list all dates, times, locations and witnesses.)  
 ONLY ONE TOPIC PER GRIEVANCE FORM.

After C/o Kafkarski responded "yes, I am a Doctor" I began to notice talk. tell Don't  
 Not Sniffing wasn't right with me.  
 I seemed very confused, my balance was off, I  
 felt my one arm was weaker than the other  
 Day brought me to discuss these symptoms with  
 a TESKOR who kept cutting me off and  
 making childish comments. I told him about a separate  
 incident days ~~ago~~ prior a week where I felt a  
 cold sensation in my ~~left~~ head and passed out  
~~P~~ I request a CIB or MRE. I cannot myself, smoking

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Grievance Response:

*See page 1 of 4*

Grievance Answered By: mth/mtn BSN/HSA Date 9/27/2019

Grievance # 1153-19Date Posted 9/30/19

BERKS COUNTY JAIL SYSTEM  
INMATE GRIEVANCE FORMInmate Name MICHAEL HOLLIDAYBCJ# 08-0808Cell P202Date 10-1-19

Instructions: Refer to the inmate handbook for information on the inmate grievance system.

## CHOOSE ONE OPTION:

 New Grievance Appeal to Grievance # 1153-19

Statement: Detail the act or condition which caused this grievance. (Be specific; list all dates, times, locations and witnesses.)  
 ONLY ONE TOPIC PER GRIEVANCE FORM.

With all Due Respect Mins. You claim I have been harassed  
 Yet today while attempting to discuss my medical  
 concerns with Dr. Pelaez, P.A. Jesse Kirsch began  
 to yell "Fuck you Holliday! I don't want to see him  
 again he's an asshole! I hope he spills my name right!"  
 This happened while I calmly attempted to discuss my  
 medical concerns with Dr. Pelaez. This is the second  
 time such an outburst happened with him. This was  
 unprovoked and there was a curtain blocking my view of  
 him. How can I discuss my medical concerns with these  
 interruptions that are totally unprovoked & uncalled for?

The whole Medical Dept. overheard this.

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Grievance Response: You filed a separate grievance on PA Kirsch with no endo  
 some allegations. (Grievance #1168-19). ~~on 10/14/19~~  
 I responded today on APP 1168-19 about the complaint  
 you made regarding your interaction with J.Kirsch. I have  
 taken an extra day to thoroughly review this appeal & the original grievance.  
 Since both appeals (1168-19 & this one 1153-19) only discuss the verbal exchanges  
 w/J.Kirsch, I am assuming the remaining issues in 1153-19 are no longer issues, however  
 I did take time to review the full grievance. Your first point in the original grievance, referenced  
 getting an incorrect dose of methadone, this is acknowledged. You then say you got no medical attention, keep  
 vital signs taken. Providers were notified of dose by night after you were issued med, you were moved to medical  
 wings, numerous vitals were taken & also assessments done at the same time. On 9/23/19 around 1145 PM  
 you even asked to leave medical and on 9/24 at approx 0345 hrs you refused check & said you  
 were fine. Surely staff took immediate & ongoing care to monitor you.

Date 10/17/19Grievance Answered By: JANICE ROLLINGGrievance # APP 1153-19Date Posted 10/17/2019

Sr Staff  
 M. Montz  
 Capt.

Original: Treatment File

Canary: Return to inmate with response

Inmate Name Michael Holzberg BCJ# 2008-0808 Cell F202  
Date 10-7-19

Instructions: Refer to the inmate handbook for information on the inmate grievance system.

CHOOSE ONE OPTION:

New Grievance

Appeal to Grievance # 1168-19

Statement: Detail the act or condition which caused this grievance. (Be specific; list all dates, times, locations and witnesses.)  
ONLY ONE TOPIC PER GRIEVANCE FORM.

I did not make this incident up. If you have dishonest staff members of course that is another issue. You have cameras with audio I am sure. You do not need to take my word for it. 9:45 - 10:15. I could see Mr Kirsch during the incident along with his friends and colleagues. I would like this sort of unprofessional behavior addressed or looked into. This sort of attitude is unacceptable of people working in a medical field taking care of ~~other~~ other people. Would like an apology. I am willing to let it go.

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Grievance Response: I am responding to your allegations about J. A. Kirsch on this appeal since it was the issue outlined on 1168-19. You also raised it again in 1153-19 Appeal. The Medical Administrator did not deny that staff reported a verbal exchange between you & the P.A. (Kirsch). The versions were different, however, the medical administrator did state in your response that she educated staff upon review of your complaint & the incident. The original grievance form was found to have writing on it from someone other than the responder, M. Montz, therefore staff copied the top of the grievance form so the responder M. Montz could write her reply back to you.

Grievance Answered By: Dawn D. Truigley Date 10/17/19

Clerk's Staff  
M. Montz  
Capt.

Original Treatment File

Grievance # APP 1168-19

Date Posted 10/17/2019

Canary: Return to inmate with response

PATRON  
Inmate Name Michael Holliday BCJ# 2008-0808 Cell C 208  
Date 16-9-19

Instructions: Refer to the inmate handbook for information on the inmate grievance system.

**CHOOSE ONE OPTION:**

New Grievance

Appeal to Grievance # 1168-19

Statement: Detail the act or condition which caused this grievance. (Be specific; list all dates, times, locations and witnesses.)  
ONLY ONE TOPIC PER GRIEVANCE FORM.

IS THE WARDEN AWARE THAT ONE OF HER STAFF MEMBERS  
CARRIES ON LIKE THIS? AND #1168-19 IS NOT THE  
ORIGINAL GRIEVANCE. THERE IS ANOTHER RESPONSE BUT IT  
APPEARS TO HAVE BEEN ALTERED. WHAT WAS THAT ONE  
SAYED? AT ANY RATE, I NEVER EXPECTED YOU  
MEDICAL TEAM TO ADMIT THEY ARE WRONG. IT WOULD BE  
NICE TO GET AN APOLOGY. FROM NOW ON I WOULD LIKE TO  
BE ALLOWED AN OPPORTUNITY TO DISCUSS MY MEDICAL CONCERN  
WITH DR PETERSON WITHOUT HAVING TO ENDURE SIDE INTERROGATIONS  
FROM THE OTHER SIDE OF THE CURTAIN. I DON'T REQUIRE  
I HAVE TALKED TO A few INMATES THAT SHARE MY CONCERN.

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Grievance Response:

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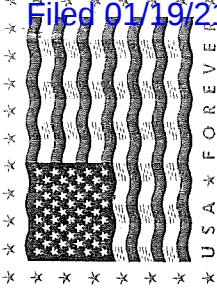
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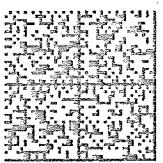
Grievance Answered By: \_\_\_\_\_ Date: \_\_\_\_\_

Grievance # APP 1168-19

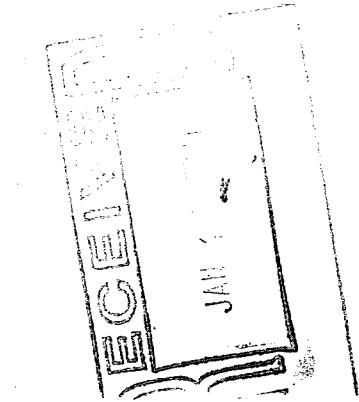
Date Posted 10/17/2019



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0001365964 JAN. 11. 2021



Name Michael Holliday  
BCP# 2008-0888  
Housing Unit 5104  
Berks County Jail System  
1287 County Welfare Rd  
Leesport, PA 19533-9397



EASTER N DISTRICT COVER OF PA  
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